

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED



In Re Application of:

Amos B. Smith III, et al.

Serial No.: 09/730,929

Filing Date: December 6, 2000

For: COMPOUNDS WHICH MIMIC THE CHEMICAL AND BIOLOGICAL PROPERTIES OF DISCODERMOLIDE

Group Art Unit: 1625

Examiner: Aulakh, Charanjit

JAN 28 2004

OFFICE OF PETITIONS

EXPRESS MAIL LABEL NO: EV325640997US
DATE OF DEPOSIT: January 22, 2004

Attention: Office of Petitions
 Box DAC
 Assistant Commissioner for Patents
 Washington, DC 20231

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM
 FOR PRIORITY PURSUANT TO 37 CFR §1.78(c)(3)**

Applicants hereby advise the Office that they failed to file a timely and proper claim of priority under 35 U.S.C. §§ 119(e), 120, 121 or 365(c) within the later of four months from the filing date of the later filed application or sixteen months from the filing date of the prior-filed application. Accordingly, Applicant(s) hereby petition that the office accept the delayed claims for priority.

Accompanying this petition is:

1. An amendment directing entry of the claim for priority into the specification of the above-identified application;

2. The fee of \$1330.00 as set forth in 37 CFR §1.17(t).

STATEMENT

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

01/26/2004 SLUANG1 00000034 09730929
 1330.00 OP
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Payment of fee(s):

- Enclosed please find a check in the amount of \$1330.00 .
Please charge Deposit Account No. 23-3050 the sum of \$1330.00 .
- Please charge Deposit Account No. 23-3050 for any fee deficiency or credit this account for any overpayment for this petition.
- This Petition is enclosed in duplicate.

Date: **January 22, 2004**



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